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**OFFICE OF PETITIONS
A/C PATENTS**

In re Reissue Application of :
Bustamante et al. :
Reissue Application No. 09/662,741 :
Filed: September 14, 2000 :
Original Patent No. 5,809,431 :
Issue Date: September 15, 1998 :
For: LOCAL MULTIPOINT DISTRIBUTION :
SYSTEM :

ON PETITION

This is a decision on the petition under 37 CFR 1.183 filed April 2, 2001, under 37 CFR 1.183 requesting waiver of 37 CFR § 1.172 which requires that the assignee of the entire interest agree to the filing of this reissue application, and acceptance of the reissue application as filed.

The petition is **granted to the extent infra.**

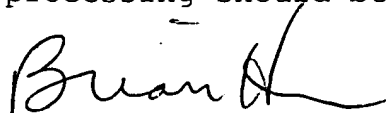
As noted in MPEP 1410.01, where the written consent of all the assignees of the patent cannot be obtained, the filing of the reissue application, on petition, may be accepted. It appears that, in this case, there is but one assignee of the entire interest, but the ultimate successor in title is not yet known to petitioner. As further noted in § 1410.01, however:

The reissue application can then be examined, but will not be allowed or issued without the consent of all the assignees as required by 37 CFR 1.172.

The examiner may proceed with the examination of this case, but is reminded to notify applicant in his first Office action as to the lack, on the record, of the consent of the assignee(s) of the entire interest, and to require compliance with 37 CFR 1.172 in the manner set forth in MPEP 1410.01.

This filing of this reissue application is accepted without the consent of the assignee and is being returned to the Office of Initial Patent Examination (OIPE) for further processing.

Telephone inquiries related to this decision should be directed to the undersigned at (703) 305-1820. Inquiries related to OIPE processing should be directed to (703) 308-1202.

A handwritten signature in black ink, appearing to read "Brian Hearn", with a stylized flourish at the end.

Brian Hearn
Senior Petitions Examiner
Office of Petitions
Office of the Assistant Commissioner
for Patent Examination Policy